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ABSTRACT

Written from the perspective of a state director of special education, the paper identifies and discusses accomplishments in special education during the 10 years since the Education for All Handicapped Children Act (P.L. 94-142) was enacted, current problems and issues, and future challenges within the following key areas of change: (1) access to education for all handicapped children; (2) continuum of services from birth to adulthood--early childhood intervention; (3) continuum of services from birth to adulthood--transition programs for older students with handicaps; (4) least restrictive environment; (5) special education manpower; (6) monitoring of special education programs/related services; and (7) programs for gifted students. Despite the increasing financial challenges facing special education the future is likely to bring solidified regular and special education partnerships, programming for unserved and underserved groups of handicapped students, improved implementation of the continuum of services delivery approach, increased effective integration of severely handicapped into the public schools, maintenance of procedural safeguards along with efforts to reduce the legalistic burdens on special education, increased emphasis on technical assistance in state monitoring of special education programs, and continuation and enhancement of gifted programming. (DB)

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Implementation of P.L. 94-142 and Its Accomplishments, Problems and Future Challenges: A State Education Agency Perspective

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IMPLEMENTATION OF P.L. 94-142 AND ITS ACCOMPLISHMENTS, PROBLEMS AND FUTURE CHALLENGES: A STATE EDUCATION AGENCY PERSPECTIVE

INTRODUCTION

During the past ten years, I have had the opportunity of working as a state director/assistant state superintendent of special education/special services in Idaho and in Washington. During this time, I have also been active in the National Association of State Directors of Special Education (President, 1977-78 and member, Board of Directors, 1975-79); as well as in a number of national, regional and state special education councils, committees and projects. These experiences and involvements have allowed me to be a part of and to observe some dramatic changes in special education during the past decade within these states and across the nation. Following are some of the key features of change within the states since the passage of P.L. 94-142 in 1975:

- Guaranteed access to education for all handicapped children and increased services for gifted children.
- Marked improvement in the quantity and scope of multi-disciplinary pre-placement evaluation and re-evaluation procedures.
- Strides toward a continuum of education, social services, employment and independent living services for students with handicaps from birth to adulthood.
- Increased involvement of parents in educational decision-making for their handicapped children.
- Placement of handicapped students in environments that include non-handicapped peers.
- Provision of special education and related services in accordance with an Individualized Education Plan (IEP) that has been developed during a multidisciplinary meeting between school personnel and the parents.
- Guaranteed due process and other procedural safeguards for handicapped children and their parents.

Public Law 94-142 as well as state laws for handicapped children have required state education agencies (SEA's) to play a lead role in the development and support of statewide special education and related services for handicapped children and youth. This paper will review accomplishments which have been the focus of work in SEA's throughout the past decade. In conjunction with this review, there will also be a discussion of problems affecting current practices as well as implications and challenges for the future.

ACCESS TO EDUCATION FOR ALL HANDICAPPED CHILDREN

Accomplishments

The single most important contribution of P. L. 94-142 has been to guarantee access to education for all handicapped children within each state and across the country. Since the passage of P. L. 94-142, an additional 600,000 handicapped children have received special education and related services (U.S. Department of Education, 1985). Last year (1985-86), more than four million handicapped children were served by the 50 states and territories (U.S. Department of Education, 1986). The number of handicapped children receiving special education and related services now accounts for 9.6% of all students enrolled in Washington State compared to 11% nationwide. This is a national increase of 3% and a Washington State increase of 5.4% since the 1976-77 school year.

During 1974-75, I coordinated a statewide child find program throughout Idaho in order to find and locate out-of-school handicapped children and youth. This SEA public awareness campaign included television and radio spots; bank and grocery sack stuffers; posters; letters sent home with school-age children to parents and community service presentations to Rotary, Lions, Elks and other service clubs.

Shortly after Governor Cecil Andrus proclaimed May, 1974 as Idaho Child Find Month, we began to hear about cases of unserved handicapped children as well as several found locked in closets. I also received a telephone call on a Sunday morning from a postman in a

small Northern Idaho town who had observed a large gunny sack with a moving object placed in the back seat of the car prior to carrying out family errands. After having observed this occurrence several times, the postman wondered if the movement in the bag might be a handicapped child and the focus of television and radio Idaho Child Find public service announcements. Indeed, this was a 9-year-old boy with Downs Syndrome that was being "sheltered and protected" at home because the parents were unaware of available help for their child. The parents were also uncomfortable with the boy's differences and the impact on others outside the home. Upon identification, this child was placed in a public school special education program and has since graduated and is employed within the community.

We have come a long way in the states to improve the public awareness and acceptance of differences. Intensive "Child Find searches" coordinated by SEA's in Idaho, Washington and in all states have spurred widespread identification of unserved and underserved handicapped children and subsequent provision of services for handicapped children.

Current Problems & Issues

Despite the numbers of handicapped children now receiving special education, there are still some underserved and/or unserved groups of children. Washington State not unlike other states is yet unable to adequately serve all students with severe behavioral disabilities. The Washington SEA and the Department of Social and Health Services are currently struggling with the development of in-state options for a limited number of these students which have been placed out of state. Our goal is to eliminate out-of-state placements and provide services closer to the child's community. In addition, we have identified approximately fifteen troubled deaf youth who require additional services. An appropriate service option is being pursued with the Washington Legislature.

A statewide study of the needs of behaviorally disabled students (Haring, Jewell, et. al, 1986), recently completed for the Washington SEA by the University of Washington and the Highline School District, has identified yet another "subtle" underserved group of

students. Findings of this study indicated that at the secondary level, students with behavioral problems are often not referred for assistance because appropriate services may not be available. Legal concerns exist about putting unvailable but needed services on the IEP, as well as the consequences of suspension and expulsion of students labeled as SBD (seriously behaviorally disabled). Children with behavioral problems but not identified as SBD who are suspended and expelled from high schools represent a continuing problem and an unserved or underserved group of students.

A further underserved group of handicapped children and youth within the states are those residing in state institutions and state correctional facilities. State education agencies do not have legal jurisdiction over some of these programs. Interagency agreements and relationships have assisted the development of programs and services for eligibile students within these facilities. There is, however, an unfinished agenda for these students.

Additional challenges remain in the provision of appropriate special education and related services to students in rural school districts, particularly for those with low incidence handicapping conditions. Parents continue to be concerned about the lack of sufficient support in rural schools for their blind or deaf child.

Another continuing problem is the high rates of students who drop out of school. Various national statistics indicate that between 18 to 25 percent of all 18 year-olds have not graduated from high school. Dropout rates may be as high as 50 percent or more in many inner city schools. It is estimated that a high percentage of these students leaving school are handicapped or at risk and are experiencing academic and/or social difficulties. John Goodlad (1984) wrote in his book, **A Place Called Schools**, "the quality of an educational institution must be judged on its holding power not just on the assessment of its graduates".

Recent educational reform measures have the potential of increasing dropout rates among handicapped and other students experiencing academic failure in the classroom.

During the past two years, 43 states have raised their graduation requirements; 15 now require exit tests for high school graduation and 37 have instituted statewide assessment of students (Education Commission of the States, 1984). Others are looking at ways to extend the school day or school year. Higher standards and longer school days may lead to greater academic stratification and less student choice in school. An increased focus on basic skills, core academic subjects and college prep courses may reduce the hours available for electives, career education and vocational education opportunities reinforcing to many handicapped and marginal students experiencing academic difficulties. McDill, Natriello and Pallas (1985) have examined the potential influence of school reform policies on the high school dropout rate. They reported that one third of high school dropouts included in their study cited poor grades as the prime reason for dropping out, and one-third indicated that the academic focus in school was not for them.

Another current problem that state education agencies are facing is concerns about over-inclusion or overidentification of handicapped students. Laurance Lieberman (1984) wrote in his recent book, **Preventing Special Education for Those Who Do Not Need It,** "when the mandate (P.L. 94-142) was given, a handicapped child was not handicapped because he was failing in school, but he was failing in school because he was handicapped". Increasing debates and discussions are occurring within state education agencies, state boards of education and state legislatures about the extensions of special education to students who are not handicapped but simply experiencing academic difficulties in school. The lines between those students failing in school and those who are handicapped are becoming increasingly unclear.

The increase in numbers of students being identified as learning disabled has been termed a national crisis. In his recent report to the U.S. Department of Education, **Identifying Learning Disabled Students,** James Chalfant (1985) noted that the literature has reported over 50 terms to describe learning disabilities and that states are using over 38

different definitions. Although Congress initially imposed a 2 percent cap on the number of students who could be served as learning disabled under P.L. 94-142, this limit was lifted in 1979. SEA's have found this population continuing to spiral.

In Washington State, 4.6 percent of the total student population is currently identified as learning disabled (1985-86), compared to 1.8% in 1975. After studying alternative eligibility criteria approaches and the impact of each on the current population of identified learning disabled students, the SEA has implemented a revised statewide definition/eligibility criteria in order to achieve more consistency in identification from district to district and to more sharply distinguish between handicapped students and those with remedial problems (slow learners). Research activities continue to monitor the impact of the revised state definition/eligibility criteria. For example, we are currently reviewing the parameters being utilized for professional judgment as a part of the LD identification process.

There are a number of reasons for the growth in the learning disabled population. First, some of these students have previously been identified as mild mentally retarded or behaviorally disabled, and are currently classified as learning disabled because the term is less stigmatizing. There have also been financial incentives to identify students as learning disabled. In addition, because of funding limitations in other programs such as Chapter I, students with learning problems have been referred to special education for services. A final, and I think significant reason for the growth in this category is an overall categorical mindset that has evolved during the past decade. Instead of stressing pre-referral interventions within the regular classroom, we have "taught" regular teachers that if help is to be obtained for students experiencing learning problems, these students must be referred for testing and placement within special education or another categorical program.

In Washington State, a total of 16.5% of the student population is receiving assistance for mild and moderate learning problems in special education (4.6%), Chapter I (8.1%) and/or our state funded Remediation Assistance Program (RAP-3.8%). These figures in Washington are not unlike those in other states. This is not unexpected as statistically between 20 and 30 percent of a given student population are likely to be having academic difficulties.

This figure is likely to increase in the future as the student diversity in the classroom becomes more complex. Hodgkinson (1985) has reported various demographic changes in our country. For example, he reported that every day in America, 40 teenage girls give birth to their third child. Teenage mothers tend to have children who are premature due mostly to a lack of physical examinations and to poor diet during pregnancy. Prematurity leads to low birth weight, which increases these infants' chances for major health problems and later learning difficulties when the child gets to school. This means that about 700,000 babies of an annual cohort of around 3.3 billion births may have learning problems later in school (Hodgkinson, 1985).

Hodgkinson (1985) reported other demographic changes such as over half of the females of working age are in the work force resulting in an increased number of "latch-key children" or those who are home alone after school. There are at least four million "latch-key" children in the nation who are school age (Hodgkinson 1984). The evidence is not yet in. Some of these children may benefit from having increased family responsibilities while home alone, but many others may become problems at school. Increasing poverty rates is another demographic change resulting in increased numbers of children experiencing learning problems in school. There is a rapid increase in the number of poor households headed by a female Black or Hispanic. Hodgkinson (1984) indicated ninety percent of the increase in children born into poverty is from these households.

He also observed that a child under six today is six times more likely to be poor than a person over 65. The result is an increase of over two million children who are "at risk" from birth (Hodgkinson, 1985). A final demographic change to be considered is the increased racial and cultural diversity. Hodgkinson (1985) reported that today we are a nation of 26.5 million Blacks and 14.5 Hispanics. By 2020, These figures will increase to 44 million Blacks and 47 million Hispanics (Hodgkinson, 1985). By the year 2000, America will be a nation in which one of every three persons will be nonwhite (Hodgkinson, 1985).

It is clear that children coming toward the educational system will be poorer, more ethnically and linguistically diverse and will have more learning differences. A major challenge for us during the next decade will be to re-define the tolerance of individual differences within the regular classroom and to alter the current categorical mindset we have that tends to refer away from the regular classroom a large number of children who are having learning problems. Mrs. Madeleine Will, Assistant Secretary, OSERS, has recently suggested (1985) in her article, "Educating Children with Learning Problems: A Shared Responsibility", that the numbers of children with learning problems alone argue for new strategies to increase the educational success of these students. This trend of increased student diversity will be in conflict with a second trend of limited growth in fiscal resources imposed by the search to balance federal and state budgets. This reality will require us to explore effective and efficient service delivery options for students with learning difficulties.

A number of states are initiating program refinements for students with mild learning problems. In Washington State, the SEA has implemented a statewide Special Services/Regular Education Initiative across both of the Divisions of Special Services and Instructional Programs and Services. A major activity within this Initiative is to support "lighthouse" strategies within selected school districts to implement regular education pre-referral alternatives to assisting students with learning problems. These strategies include Teacher Assistance Team variations, consulting teacher intervention, peer tutoring,

cooperative learning activities and study skills training. Preschool and early intervention strategies for handicapped and other high risk students are also being implemented. Class size issues and staff development are also being explored. In addition, various research and training activities are being implemented between the Washington SEA and the Association of Washington School Principals to enhance the role of the principal in leading building-based teams through the process of program refinement and change. Other Initiative activities include the work of a statewide committee to provide advice to the SEA about needed policy or funding changes related to increased pre-referral interventions and enhanced coordination and linkages between special education, other categorical programs and regular education. As states and school districts begin to plan and develop program enhancements and linkages with regular education to better serve students with mild learning problems, federal and/or state administrative and funding policies will need to be brought into accordance.

Future Challenges

- Continued child find and other efforts to identify unserved and underserved groups of students with handicaps.
- Development of program options for identified unserved and underserved groups of students with handicaps such as those with behavioral disabilities at the secondary level, those with low incidence handicapping conditions in rural areas and those with sensory impairments in rural and urban school districts.
- Monitoring of the negative, unintended outcomes of educational reform measures upon increased drop-out rates among students with handicaps.
- Implementation of strategies to retain and adequately serve students with handicaps at risk of becoming high school dropouts.
- Implementation of statewide initiatives to increase the number of service options available for students with mild learning problems. Such options will include increased partnerships between regular education, special education and other categorical programs to enhance regular education's capability to serve students with mild learning problems prior to referral to special education as learning disabled and/or to other support programs.
- Enhancement of the principal's role in building-based program refinements for students with mild learning problems.

CONTINUUM OF SERVICES FROM BIRTH TO ADULTHOOD - EARLY CHILDHOOD INTERVENTION

Accomplishments

As a strong advocate for early prevention and intervention and from my perspective as an SEA special education administrator, I think significant advances have been made in the states during the past decade for children with handicaps ages birth to six.

During the 1984-85 school year, 259,483 handicapped children nationwide between the ages of 3 and 5 were enrolled in special education (U.S. Department of Education, 1986). Although the majority of funding for such programs comes from the state level, the federal government has provided extensive leadership and support in the area of early childhood education.

Following the enactment of the Handicapped Children's Early Education Assistance Act, P.L. 90-538, the federal government began to fund model demonstration projects in order to promote a comprehensive service delivery system to meet the special needs of children with handicaps in infancy through the age of 6. Each state now has at least one demonstration grant. The U.S. Department of Education (1985) has reported that over 400 demonstration grants have been funded to date. In addition, less than half of the states in 1977 participated in the Preschool Incentive Grant which provides funds to serve handicapped children aged birth through five. During the current year, all fifty states utilize these resources. The State Implementation Grant program established in 1976 has awarded grants to 43 SEA's and territories to help plan and coordinate comprehensive preschool delivery systems (U.S. Department of Education, 1985). This program was replaced in the Education of the Handicapped Act Amendments of 1983, P.L. 98-199, with the Early Childhood State Grant Program. All 50 SEA's currently participate in this program. In addition, at least 18 states have utilized a portion of the Education of the Handicapped Act Discretionary funds to expand preschool services (U.S. Department of Education, 1985).

Progress is continuing in the implementation of a comprehensive service delivery system for young handicapped children within the states. Currently, nineteen states have mandated educational services to handicapped children ages 3-5 years. Another six states require services down to birth. Ten additional states have limited services mandates in the 0-6 age range (telephone conversation with TADS). Washington State implemented mandatory preschool legislation for four-year-old handicapped children during 1984-85 and for three-year-old handicapped children during the current school year, 1985-86.

All SEA's have expanded their leadership activities to implement various mandates and statewide service delivery for young handicapped children. These activities range from completion of statewide effectiveness studies, development of program standards and guidelines, development of systematic screening procedures and interagency collaboration. Interagency planning is increasing, as well, in services needed for the birth - three population. SEA's have funded or supported research studies regarding the effectiveness and impact of e: ly intervention. Although additional research is needed, studies on the effectiveness of preschool programs have shown that infants and preschoolers who receive early intervention show significant improvements in development and learning. Findings from the "Perry Preschool Project" indicate that those high risk children who take part in preschool programs are less likely to require special education placements later in school and more likely to complete high school and succeed in work than those who do not. A cost benefit analysis in this study concluded that the return on the initial investment was three and one-half times the cost if two years of preschool are provided (Bridgman, 1985).

Follow-up studies conducted in Washington and Colorado (Edgar, McNulty, Gaetz and Maddox, 1984) found that 16% (Washington) to 31.4% (Colorado) of significantly handicapped students leaving preschool programs were placed in regular classrooms with no additional special education services.

An important feature of overall educational reform measures has also focused on child care and early childhood education for "high risk" children. At least 28 states have

recently enacted early childhood initiatives, and a growing number of others are considering similar activities. The National Conference of State Legislatures has recently cited early childhood education and child care as the most significant new area of educational legislative activities in the states during 1985. The early childhood education initiatives enacted or under consideration within the states range from programs for 3 and 4 year olds to before and after school care programs and from Head Start type programs run by local community agencies to full-day kindergartens. There are also other states that are instituting a readiness test for admissions to first grade. All but two states (New Hampshire and New Mexico) provide state level financial aid for kindergarten programs. In three states, Delaware, South Carolina and Virginia, kindergarten attendance is mandatory. In at least 15 states, school districts are mandated by the legislature to provide kindergarten programs, but attendance is not compulsory. Legislation for compulsory attendance is pending in seven states. Full-day kindergarten programs operate in 32 states. Funding for all day kindergarten programs is pending in four additional states (Bridgman, 1985).

Current Problems & Issues

Despite the gains made in early childhood education for handicapped or high risk children, problems still continue. Karl R. White assessed more than 2,000 research projects on the efficacy of early intervention for at-risk children and cautioned that findings are not definitive. Existing studies have serious methodological flaws making it difficult to prove whether or not early intervention affects later development (Bridgman, 1985).

Castro and Mastropier (1986) reported findings of 74 early childhood studies. This meta analyis raises some questions about early childhood programs that warrant further research. For example, findings from the analysis of parental involvement suggest that parents can be effective intervenors but that they are not essential to intervention

success. These two researchers also concluded that there is little data to support the notion that the earlier the better in starting intervention programs. In fact, there is some evidence that handicapped students who start later do better. There are still unanswered questions about long-term benefits of early intervention.

In addition to the need for additional research, there are insufficient numbers of qualified early childhood teachers and a need for staff development and training. This teacher shortage is compounded by the fact that many related services personnel are not trained to work with preschool-age children.

There is an additional need to expand services to include children from birth through age 2. This, in my opinion, is critical and requires significant interagency collaboration. No one agency can provide the range of educational, medical and social service needs of this population.

Finally, states still lack systematic screening procedures to identify children's developmental problems from birth on. Very few states mandate or support systematic developmental screening. Inaccuracies in assessment result in misdiagnosis at an early age and can have a long-lasting negative impact on the child's self-image and on the child's capacity to learn. On-going assessment instruments linked with curricula are needed. There is also a need for instruments and procedures that assist researchers to determine whether important goals of a preschool program are being met.

While most existing programs provide for family involvement, many of these programs lack breadth and intensity of family involvement. Bailey and Simeonsson (1984) have discussed three needs: "(1) appropriate and relevant models for understanding family functioning; (2) strategies and instruments for assessing family needs and (3) a comprehensive approach for designing and implementing an integrated, individualized program of service for families" (p. 45).

Another problem within the states is the lack of quality day care for handicapped children. Day care programs need additional financial assistance from the federal government, SEA's and other state agencies. Training must also be provided for day care operators regarding the special needs of handicapped children.

Future Challenges:

- Continued interagency planning and implementation of statewide preschool programs and services particularly for those children between birth to three years.
- Enhanced SEA leadership activities such as initiation of program impact studies, development of program standards and guidelines and implementation of refined screening procedures.
- Implementation of statewide strategies to insure a smooth transition from public and private preschool programs to public school programs.
- Continued expansion of preschool measures focusing on child care and early childhood education for "high risk" children.
- Completion of additional research regarding the efficacy of preschool programs including longitudinal studies.
- Exploration of strategies for enhanced parental and family involvement in preschool programs.
- Expanded teacher preparation programs for early childhood education program personnel.

CONTINUUM OF SERVICES FROM BIRTH TO ADULTHOOD - TRANSITION PROGRAMS FOR OLDER STUDENTS WITH HANDICAPS

Accomplishments

With the passage of the 1983 Amendments to the Education of the Handicapped Act, P.L. 98-199, successful transition of handicapped students from school to work, community living or higher education has become a national priority. Funds and support provided by the federal government through P.L. 98-199 and a clear priority of Mrs. Madeleine Will, Assistant Secretary of OSERS, have "nudged" state offices of special education, vocational education, vocational rehabilitation and developmental disabilities to develop expanded transition programs and policies.

The SEA in Massachusetts supported the passage of a law informally referred to as the "Turning 22 Legislation". This legislation set up a Bureau of Transitional Planning to help disabled students move from school to adult social service agencies after they reach age 22. The California legislature has passed legislation to formally coordinate transition planning for handicapped individuals leaving the schools. The Washington legislature is also considering legislation to require the SEA (Special Education and Vocational Education); the Department of Social and Health Services (Vocational Rehabilitation and Developmental Disbilities) and the Department of Community Development to initiate formal state planning for needed transition programs and services; as well as to implement a data mechanism to better follow high school graduates with handicapping conditions relative to effective and smooth transition and needed adult services and employment options.

The Council of Chief State School Officers is currently working with several states including Montana, Idaho and Washington to assist with statewide interagency planning efforts in the area of transition of older handicapped students.

A number of model transition projects and programs are being implemented within each state utilizing state and discretionary funds from the federal government (Title VI-E and Title VI-B). These projects include the development of a more functional high school curriculum, specific and systematic planning for vocational transition and placement into employment, as well as the development of increased employment options.

The Job Training Partnership Act offers additional opportunities for handicapped persons. Seventy percent of these funds must be used for training for jobs in the private sector. SEA's are working with other agencies to plan increased community-based services including employment options, living arrangements and self-care activities. The Federal Supported Employment Initiative has provided resources to states such as Washington to increase paid work opportunities for individuals with severe handicaps.

Current Problems & Issues

Although each SEA is working with other agencies at the state and community level to develop successful transition programs and community-based services for handicapped individuals, a number of handicapped individuals are unemployed after leaving high school. Statistics vary regarding the extent of unemployment rates. The U.S. Commission on Civil Rights (1982) reported that between 50 and 70 percent of all disabled adults are unemployed. A study supported by the SEA in Vermont (Hasazi, Preskill, Gordon and Collins, 1982) and in Virginia (Wehman, Kregal and Zowler, 1984) indicated similar rates of unemployment. In Colorado, the SEA found that 60 percent of recent special education graduates were reported as working, but that there was a high rate of underemployment and low wages (Mitthag and Honiuchi, 1983). A recent follow-up study in Washington State (Edgar, Levin and Maddox, 1985) reported to the SEA that 59 percent of handicapped high school graduates from twelve selected school districts were employed (39%-severe; 50%-sensory impaired; 60%-neurologically impaired/health impaired; 43%-mild mentally retarded and 66%-learning disabled/behaviorally disabled). Certainly an outcome success measure of our educational system is the extent to which our students with handicaps and disabilities are independent, employable and can compete successfully in the workplace.

State Education Agencies are reporting a number of additional problems including an overall lack of information and knowledge within the states as to what post school services are available for graduates with handicaps. There is also a lack of knowledge by post school service staff as to what happens in public schools. Formal procedures are inadequate for "passing" clients/students on to the next service; i.e., transfer of records, procedures for applying for services and procedures for identifying post school needs prior to graduation.

There is also little relationship between the high school curriculum and the response demands in the training sites for post school services. For example, there is a needed match in curriculum between a public school food service training program and a post school food service training program. Vocational planning and training must begin earlier in the

child's school program. Most programs begin when the child is 14, 15 or 16. This leaves less than four years to learn a large number of general and specific work skills.

Parents are also critical in transition planning and should be well informed about available services and how to access such services. They also need to be involved in the overall planning of increased transition employment and community services. Our current efforts in the states to involve parents in the transition process need to be greatly enhanced.

An additional problem in the states is that there are simply too few post school services for handicapped students. Colleges, trade unions, vocational technical schools and other post secondary school options very often will not accept our handicapped graduates. There are also inadequate day programs including work activity centers, sheltered workshops, transitional work preparation programs, work crews, enclaves in industry and competitive employment options. Systematic planning of these needed services is by and large absent.

Finally, our data base must be expanded as too little is known about current transition experiences. State Education Agencies can only currently estimate the number of handicapped individuals who make their way into the work force and the number who remain jobless despite current service efforts.

Future Challenges

- Enhanced and expanded interagency planning of existing and needed transition programs and services.
- Exploration of incentives to employers who offer jobs to persons with disabilities.
- Implementation of strategies to increase coordination and awareness between community service providers, employers and the public schools.
- Development and implementation of policies to provide earlier vocational planning and training in the child's school program, as well as policies and procedures to more effectively move students/clients from one service to another.
- Implementation of enhanced parental involvement in the planning of transition programs and services for their handicapped child.
- Development of increased post school services.
- Implementation of an increased data base to systematically follow graduates with handicaps into post secondary programs, day programs and competitive employment.

- o Improvement of the high school curriculum so that there is a better relationship with the demands of post school services.

LEAST RESTRICTIVE ENVIRONMENT - INTEGRATION OF SEVERELY HANDICAPPED INTO THE PUBLIC SCHOOLS

Accomplishments

The right of an individual to a free appropriate public education in the least restrictive environment is a major goal and overall accomplishment of P.L. 94-142. In 1983, the U.S. Department of Education reported that more than 92% of handicapped children were being educated in regular schools. A rationale for integrating handicapped students into regular educational settings has been formulated over the past 10 years (Bricker, 1978; Wilcox and Sailor, 1984 and Wolfensberger, 1966). State Education Agencies have carried out a significant agenda to support the increase in numbers of students with severe handicaps educated in settings with their nonhandicapped peers. Rural school districts surveyed by the National Research and Personnel Preparation Project (1980) reported a 20% increase in services to severely handicapped students.

There is a growing agreement among educators that positive interactions between nonhandicapped and handicapped students is important to the overall development and socialization of both groups (Rynders, Johnson and Johnson, 1980). A number of studies (McHale and Simeonsson, 1980; Voeltz, 1982) have demonstrated that increased contact of nonhandicapped and severely handicapped students can influence the accepting attitudes of nonhandicapped students toward their handicapped peers. Emerging studies (Brinker and Thorpe, 1984) have shown that the degree of integration as measured by interaction with nonhandicapped students was a signficant predictor of educational progress for handicapped students.

Current Problems & Issues

Although we have made significant gains with the integration of severely handicapped children into the public schools, there are still a number of separate schools. Many of these schools continue largely because of past practices when parents and educators believed it was not possible for the regular schools to provide educational environments in which children with severe handicaps could learn and thrive. It was assumed that the severely handicapped and nonhandicapped children could not benefit from shared public

school experiences. Many of these separate schools exist in undeveloped suburban areas because of the original reduced cost of land. These sites are often isolated making integration with non-handicapped peers difficult. There is currently a lack of SEA policies and intitiatives to systematically reduce the number of existing and traditional separate, segregated schools for severely handicapped children and youth.

There is also a lack of systematic curriculum for severely handicapped students for use in the public schools, particularly focused on needed post-school skills. The practical reality of placement of severely handicapped students in the public schools has also led to the placement of small numbers of these students in rural school districts. Special education teachers working in rural school districts may have more generic training and lack the necessary skills for working with severely handicapped students. Certification standards and teacher education practices need to focus on enhanced training of special education teachers to better deal with these students.

Because severely handicapped students have only recently been integrated into the public schools, the majority of research studies have dealt with mild to moderately handicapped students. Additional research is needed to analyze the academic and social consequences and benefits of integration of severely handicapped and non-handicapped students.

Future Challenges

- Enhanced efforts by SEA's to disseminate effective and innovative programs which integrate severely handicapped and non-handicapped students.
- Increased efforts to develop systematic curriculum for severely handicapped, particularly focusing on needed post school skills.
- Development of policies and initiatives by SEA's to challenge existing separate, segregated schools for severely handicapped students.
- Support of additional research to study academic achievement, social consequences and benefits of programs which integrate the severely handicapped students into the public schools.

LITIGATION/DUE PROCESS TRENDS

Due process, equal protection, least restrictive environent, procedural safeguards, Brown vs. Board of Education, PARC, Mills--all of these are the underpinnings of P.L.

94-142. During the past decade, the role of the courts has been significant to increase our understanding of the extent and the nature of special education and related services to be provided for handicapped children and youth. The law has been fluid and dynamic with continuing challenges to the SEA's, the public schools and to parents.

State Education Agencies have carried out significant activities in order to facilitate and guarantee the implementation of procedural safeguards. For example, throughout the past 10 years, SEA's have established and refined their structure of local and/or state level due process procedures. An ongoing cadre of due process hearing officers has received training by SEA's. On-going information regarding litigation trends has also been made available to parents and school personnel by SEA's.

In addition, SEA's have explored the use of mediation as an intervening step prior to a formal due process hearing. Thirty-eight states have implemented mediation procedures because of the continuing concern that many parents are intimidated by a formal hearing. Formal procedures set up a "confrontation" between parents and service providers. In addition, parents may not have the financial resources to pay attorneys and expert witnesses. Parents usually want to resolve issues in dispute quickly to enable their child to benefit from an appropriate educational program. The longer the system of placement is drawn out, the more frustrated parents become.

The nature of legal issues over the past 10 years has changed. In the late 1970's, due process hearings facilitated and carried out by SEA's and local school districts as well as lawsuits across the country dealt with the issue of access and to some extent appropriate programming. Today, litigation and due process issues regarding the appropriateness of an individual child's special education program have expanded to include a range of related services (psychotherapy, catherization, counseling), extended school year programming, suspension and expulsion, residential school placement, testing, least restrictive environment and damages.

Current Problems & Issues

Public Law 94-142 continues to be a very prescriptive law and as such, leads to continuing disagreements between parents, administrators, teachers and other service

providers. Because of its legalistic and structured nature, I think, we have tended to allow the courts to resolve differences over the personal IEP needs of handicapped children, as well as procedural safeguards rather than to make needed administrative and programmatic decisions.

For example, the U.S. Supreme Court has provided guidance regarding several issues such as defining a school's obligation to provide related services in the 1984 Irving Independent School District v. Tatro (52 U.S.L.W. 5151) and in defining both related services and "appropriate" education in the 1982 Board of Education v. Rowley (458 U.S. 176). I anticipate that the definition of "appropriate" will continue to be challenged particularly as the impact of Gramm Rudman and other efforts to balance federal and state budgets impact resources available within each state. If Congress passes legislation that would allow the recoupment of attorney's fees to parents who prevail in their administrative hearings or court cases, hearings are likely to multiply around "appropriate" and other issues such as related services, secondary education, institutionalized and incarcerated children and youth, services for severely retarded, extended school year programming, professional liability, the reimbursement of parents for placement of their child in a private school, as well as exit skills and the right to return for compensatory/remedial instruction following graduation. Issues like drug and alcohol dependency and health concerns such as AIDS and Hepatitis are also challenging the traditional notions of special education eligibility.

Procedural safeguards of P.L. 94-142 were designed to protect the rights of handicapped individuals. Implementation of these procedural safeguards within the states has been challenging. A recent study by the National Association of State Directors of Special Education (1985) indicated that, in general, parent leaders and SEA special education directors both viewed these provisions as positive and the current safeguards as sufficient. Parent leaders, however, felt that while they were acceptable in theory, some of these provisions continued to be vague and did not insure that handicapped individuals received an appropriate program. This survey suggested that parents may still not be well-informed about the procedural safeguards of federal law.

Studies regarding the benefits of due process hearings such as that by Kirst and Bertken (1981) emphasized concerns about parents' ability to pay for an attorney and expert witnesses. This study indicated that minority and low-income parents used the hearing process less often than other parents with higher income levels. This study also showed that once parents participated, post hearing resolution of issues was inversely related to income status. Continuing research is needed by SEA's to monitor the impact of due process hearings and other mediation procedures.

Future Challenges

- Continued exploration by SEA's of mediation procedures as an effective way to resolve differences between the parents and the school regarding needed special education and related services for their child.
- Expanded parent training supported by SEA's to enhance awareness and dialogue about the procedural safeguards of P.L. 94-142.
- Additional monitoring of the types of parents accessing due process hearings in relation to the number and types of overall disputes.

SPECIAL EDUCATION MANPOWER

Accomplishments

As the population of handicapped students has grown, so has the number of special education and related services personnel. The total number of special education teachers across the states has increased from 179,804 in fiscal year 1977 to 241,079 in fiscal year 1983. Related services personnel have also increased from 151,649 in fiscal year 1977 to 224,684 in fiscal year 1983 (U.S. Department of Education, 1985).

Dunn (1986) reported that a total of 698 colleges and universities provided programs for the preparation of various special education and related services personnel during 1982-83. In fiscal year 1985, $61,000,000 in federal funds supported 880 grants awarded to colleges, universities and SEA's in order to increase the quantity and quality of personnel serving handicapped children (Dunn, 1986).

All SEA's are making systematic efforts to upgrade the skills of regular and special education personnel working with handicapped children. Most SEA's utilize a portion of their EHA-B set-aside monies for inservice training activities, leadership conferences and other technical assistance strategies to upgrade the skills of personnel working with handicapped children. In addition, there have been a number of changes across the states in

certification practices for special education and related services personnel.

Current Problems & Issues

In order to fully implement state and federal laws pertaining to the education of handicapped children, an adequate supply of special education teachers, administrators and other personnel must be available. The American Association of Colleges for Teacher Education (1983) reported that the overall supply of teachers produced annually was already four percent short of supply. The greatest shortage areas included special education. Demographic information available to us suggests that by 1990, the number of 18-year-olds will be .8 million fewer than in 1980. (National Center for Educational Statistics, 1983). Thus the pool from which teacher education can recruit students will be reduced. At the same time, the number of preschool and elementary school children will increase.

Shortages of special education manpower are becoming a reality. **The Condition of Education** report (1985) stated that "certain subject fields had higher vacancy rates than did others. Positions for bilingual special education teachers showed the greatest proportionate shortages in the public schools... Special education teachers of speech impaired pupils were the next highest group reported in short supply in the public schools... (and) similar shortages extended to other special education fields, including teachers of severely emotionally disturbed students" (page 138).

Another complicating factor with the need for an adequate supply of new special education personnel during the next decade is high attrition. Attrition rates for all teachers is estimated at 6 percent annually (National Center for Educational Statistics, 1983 and 1985). Attrition rates in special education are higher. A 10-year special education manpower study conducted in Idaho (Schrag, 1979) indicated special education teacher turnover or attrition rates of between 41-44% every one to two years. Other studies have indicated that the turnover rate for teachers of behavioral disabilities is up to 53% of teachers leaving within the last five years (Groesenick and Huntz, 1981). Among teachers of the severely handicapped, the burnout rate may be as high as 30 percent every three to four years (Smith-Davis, Burke and Noel, 1984). In Washington state, school districts report to the SEA that they are unable to recruit sufficient numbers of school

psychologists, physical therapists and occupational therapists during the current school year. The ACRES project reported (1984) additional personnel concerns in rural areas. Average salaries of teachers in rural areas are about 24% less than the average for metropolitan area teachers.

Misassignment is also a current issue among SEA's. Solutions for teacher shortages in special education by SEA's include the issuance of emergency certificates. A 1982-83 national survey by the University of Maryland showed that up to 30% of special education personnel in some areas were working without adequate preparation or experience (Smith-Davis, Burke and Noel, 1984). The use of emergency certification will continue to be a national concern.

Certification practices within the states vary. On the one hand, a generic certificate can provide flexibility needed in rural settings in which small numbers of various low-incidence handicapped children are enrolled. On the other hand, teachers with generic skills find it difficult to meet the specialized needs of deaf, blind and severely handicapped students. Special education teachers in rural areas must handle students across multiple grades, as well. Because of the shortages of physical and occupational therapists particularly in rural, small school districts, special education teachers find themselves providing a variety of "quasi" therapy services. Pre-service training preparation programs often do not provide training in diverse roles necessary to implement the range of services needed by handicapped children.

There are additional concerns about pre-service teacher preparation programs for regular education teachers. As states implement strategies to modify the current categorical mindset to refer students with mild learning problems to special programs and emphasize alternative pre-referral options, regular education teachers will need additional pre as well as inservice training to better deal with student diversity. The role of the school psychologist is also changing from a diagnostician to that of working with teachers and students. This also has challenges for pre and inservice training programs. Many school psychologists report they do not feel comfortable moving into this changing role because their preparation programs did not provide the necessary skills to work with

regular educators. Pre-service preparation programs have not provided adequate regular education training for various special education and related services personnel. Pre-service preparation programs for regular educators, likewise, have not provided sufficient special education training. Needed partnerships between regular education and special education to better deal with students with mild learning problems will, therefore, be complicated by the lack of cross training and awareness by regular and special education/related services personnel.

Future Challenges

- Completion of on-going research by SEA's regarding supply and demand issues of special education, related services and regular education personnel working with students with handicaps.
- Review of current and needed certification practices by SEA's particularly related to education of severely handicapped students and special education students enrolled in rural school districts.
- Implementation of pre and inservice training strategies by SEA's, colleges and universities and school districts regarding changing roles needed to implement pre-referral intervention for students with mild learning problems within the regular classroom.

MONITORING OF SPECIAL EDUCATION PROGRAMS/RELATED SERVICES

Accomplishments

State Education Agencies have implemented state monitoring systems to systematically review special education programs and related services within local school districts. Likewise, the federal government has also implemented procedures to monitor SEA's implementation of P.L. 94-142. These SEA monitoring procedures have changed from a review of the implementation of the parameters of P.L. 94-142 (IEP's, parental involvement, procedural safeguards, etc.) to an increasing emphasis on the quality of programs provided. Self-monitoring and sample monitoring strategies are currently being initiated along with full monitoring procedures. In addition, SEA's are attempting to enhance their monitoring procedures with a pre-monitoring/technical assistance phase. The Washington SEA has implemented such a system during the 1985-86 school year as a way to "teach to the test" and an attempt to de-emphasize compliance and increase the technical assistance component of monitoring.

Current Problems & Issues

State Education Agencies continue to be concerned about the over-emphasis of their role on compliance and "policing" versus a "helping" technical assistance role. The majority of SEA's continue to have insufficient staff to carry out monitoring as a separate function from technical assistance/training. The conflict between the "black hat/white hat" role continues. In addition, lack of available monitoring staff has prompted self-monitoring and other abbreviated procedures in order to carry out a number of other administrative, technical assistance, training and research functions. Sufficient monitoring of school district programs will continue to be important as there are signficant challenges--some of which have been discussed in this paper. Insufficient SEA personnel to adequately carry out statewide monitoring of special education programs and related services will become exaggerated if federal budget cuts are imposed by Gramm-Rudman are realized. A large number of SEA personnel across the country are supported by federal Title VI-B administrative funds.

Public Law 94-142 places the SEA as the lead agency to monitor and oversee the quality of programs for handicapped children provided by other agencies. Jurisdictional issues continue to be a problem and limit the extent to which changes can be made in programs not within the legal authority of the SEA. This is particularly the case as SEA's are working with their counterparts in Departments of Correction for incarcerated youth.

Future Challenges

- o Continued implementation of sufficient state and federal monitoring of statewide programs and services provided for children and youth with handicaps.
- o Expanded interagency collaboration of quality programs and services for children and youth with handicaps, particularly those in residential programs and incarcerated in juvenile detention centers, neglected and delinquent institutions and the prisons.
- o Development and implementation of alternative monitoring procedures with "tightened" federal and state resources to support SEA monitoring personnel.

PROGRAMS FOR GIFTED STUDENTS

Accomplishments

During the past ten years, there has been growing support by State Education Agencies

to recognize the needs of gifted students. As of 1981 (Kissick, 1981), all but five states had passed legislation that specifically addresses the education of gifted students. Currently, twenty-one states mandate school districts to provide services to these students (O'Connell, 1986). During fiscal year 1981, appropriations ranged from zero to $18 million--twenty-four states appropriated $1 million or more for gifted education, and seven states spent more than $5 million (Kissick, 1981). In fall, 1985, twenty-one states reported funding levels for gifted education over $15 million (O'Connell, 1986).

A number of SEA's fund inservice training activities for teachers of gifted children or partially reimburse local districts for the costs of personnel who provide technical assistance related to programs for the gifted. All state education agencies have at least a part-time person to carry out state leadership for gifted programs. Fourteen states currently require special certification for teachers of gifted students (O'Connell, 1986). Ongoing state leadership activities have included development of program guidelines, support of pre and inservice training for personnel working with gifted students, development of screening and evaluation procedures, formation of school/business partnerships networking of best practices across school districts, curriculum development, parent training and monitoring of local school district gifted programs.

Commitment for gifted students in the Washington State Education Agency began in 1961 with passage of the first authorizing legislation and appropriation for gifted programs. In 1975, a state plan for gifted students was developed. The State Basic Education Act of 1977 recognized gifted students within its definition. In 1984, the Washington legislature re-emphasized its commitment for gifted students and provided enhanced funding for up to 1% of each school district's student population. Washington State participated in the federal funding provided between 1974-1980. These funds were utilized for state planning, model project development, leadership training and information clearinghouse activities. State leadership has continued in Washington in all these areas.

During the past two years, new initiatives for gifted students have been the focus of educational reform measures. At least 35 states have implemented programs such as magnet schools, residential schools, summer camps, concurrent university/high school enrollment programs, honors programs and overall increased funding (Education Commission of the States, 1984).

Current Problems & Issues

Despite the efforts made by Washington and other states throughout the country during the past decade, it is my opinion much work is yet to be done to make gifted education a national and a state priority. Gifted programs are still inadequately funded. Across the states, definitions of gifted students vary greatly as do the proportions of the school population to be served. State education agencies have not adequately dealt with teacher certification requirements for personnel working with gifted students. Pre and inservice training programs continue to be limited. In addition, there is limited research regarding the efficacy of various types of gifted program models (acceleration, enrichment, counseling, special honors programs, advanced placement, mixed ability classrooms, regular education options, etc.).

Identifying gifted chlidren from minority groups has also posed a challenging problem. Standardized testing procedures are fraught with inconsistencies when applied to minority populations and across socioeconomic values. In addition to research and the development of appropriate theoretical concepts in gifted minority children, there is a need to develop and share appropriate curriculum strategies for these students.

Future Challenges

- Enhanced SEA leaderships activities in gifted education including support of improved pre and inservice training.
- Development of improved screening and identification procedure with emphasis on implications for cultural and ethnic differences.
- Increased SEA supported research on the education of gifted students.
- Increased state funding for gifted programs.
- Renewed federal leadership in gifted education to support research, demonstration and training programs.
- Enhanced school/business partnerships

- o Enhanced SEA technical assistance to school districts in the implementation of programs for gifted students.
- o Implementation of initiatives to increase the numbers of persons entering the field of gifted education.
- o Continued study by State Education Agencies and State Boards of Education to address teacher certification requirements for personnel working with gifted students.

SUMMARY

This paper has highlighted several key features of change within the states that have been the focus of State Education Agencies since the passage of P. L. 94-142 in 1975. Accomplishments, as well as current problems and future challenges for the next decade have been discussed within the context of access to education, early intervention, transition, integration of severely handicapped into the public schools, litigation/due process trends, availability of trained personnel, monitoring and programs for gifted students.

The ongoing need for adequate funding was not treated as a separate topic. Federal funds continue to comprise approximately 5-8% of the costs of special education and related services within the states. Public Law 94-142 within its authorization language indicated that a sizable percentage of the costs of special education would be assumed by the federal government. Instead of the promised 40 percent of the average per pupil cost by 1982, however, the percentage of federal funding reached only 12 percent of the average per pupil cost (Weintraub & Ramirez, 1985). Continued efforts to balance federal and state budgets such as Gramm-Rudman will limit the growth in future fiscal resources.

Despite this continuing financial challenge ahead of us, it must be said that during the past decade there have been dramatic improvements in the lives of children and youth with handicaps as well those with gifts and talents. Much program development has occurred.

The next ten years promise to bring a whole host of program adjustments, refinements and enhancements. Regular and special education partnerships will solidify and these often parallel programs including other support services will become more integrated and unified. Enhanced programs will be developed for unserved and underserved groups of

handicapped students. Progress will continue to be made in implementing a smooth continuum of services from birth to adulthood. Effective integration of severely handicapped students into the public schools and into society will be emphasized. Procedural safeguards will be maintained for handicapped students and their parents; however, efforts will continue to reduce the legalistic nature of our current special education system. This will be complicated by reductions in programs because of federal budget cuts. On-going research will be carried out in a number of areas including the efficacy of early intervention, follow-up of special education graduates and ways to train and retain qualified special education manpower. State monitoring of special education programs will have an increased emphasis upon technical assistance. Programs for gifted students will be continued and enhanced. The past emphasis on access and process in special education will be replaced by issues of quality and outcomes.

As a State Education Agency administrator, I am excited by the progress made to date in special education. There is, however, a significant, challenging and unfinished agenda to fully carry out the promises of P. L. 94-142 and companion state special education laws.

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